

Matthew B. Lehr (Bar No. 213139)  
 Suong T. Nguyen (Bar No. 237557)  
 Duane D. Nash (Bar No. 220785)  
 Chung G. Suh (Bar No. 244889)  
 DAVIS POLK & WARDWELL  
 1600 El Camino Real  
 Menlo Park, California 94025  
 Telephone: (650) 752-2000  
 Facsimile: (650) 752-2111

Attorneys for Plaintiff  
 VNUS Medical Technologies, Inc.

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

VNUS MEDICAL TECHNOLOGIES, INC.,	)	CASE NO. C05-02972 MMC (JL)
	)	
Plaintiff,	)	<b>ORDER GRANTING IN PART AND</b>
	)	<b>DENYING IN PART JOINT MOTIONS</b>
v.	)	<b>FOR ADMINISTRATIVE RELIEF TO</b>
	)	<b>FILE DOCUMENTS UNDER SEAL</b>
DIOMED HOLDINGS, INC., DIOMED	)	
INC., ANGIODYNAMICS, INC., and	)	<b>[DOCKET NOS. 465, 473, 480]</b>
VASCULAR SOLUTIONS, INC.,	)	
	)	Judge: Hon. Maxine M. Chesney
Defendants.	)	
	)	
	)	

After consideration of the Joint Stipulated Motions for Administrative Relief to File Documents Under Seal, filed October 9, 2007 (D.I. 465, 473, 480), and the Declaration of Mark Kertz Pursuant to Civil L.R. 79-5(d), filed October 11, 2007 in support of such motions, and good cause appearing therefrom, the Joint Stipulated Motions are GRANTED with respect to the unredacted versions of the following documents, each of which the Clerk is directed to file under seal:

(1) Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial Testimony of Ms. Stamm and Mr. Napper on Opinions Lacking an Adequate Factual Basis;

(2) Exhibit A to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(3) Exhibit B to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(4) Defendants' Opposition to VNUS's Motion in Limine to Exclude the Thesis of Dr. Bone-Salat, Evidence of Inventive Activity in Spain, and Communications About Such Activity; and

(5) Exhibit C to the Declaration of Charles Steenburg in Support of Defendants' Opposition to VNUS's Motion in Limine to Exclude the Thesis of Dr. Bone-Salat, Evidence of Inventive Activity in Spain, and Communications About Such Activity.

As to the following documents, in light of plaintiff's having withdrawn its prior designation of confidentiality, the motions are DENIED, and the Clerk is directed to file such documents in the public record:

(1) Exhibit C to the Declaration of James F. DeDonato in Support of Defendants' Joint Opposition to Plaintiff's Motion In Limine to Exclude Expert Trial Testimony of Ms. Stamm and Mr. Napper;

(2) Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Expert Trial Testimony of Drs. R. Rox Anderson, Irving J. Bigio, J. Kevin McGraw and Cynthia K. Shortell on Non-Enablement;

(3) Exhibit A to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

(4) Exhibit B to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

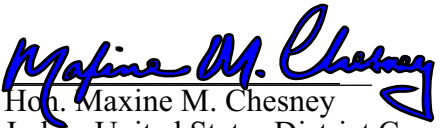
(5) Exhibit C to the Declaration of Richard J. Twilley, Esq., in Support of Defendants' Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial;

1 (6) Exhibit D to the Declaration of Richard J. Twilley, Esq., in Support of Defendants'  
2 Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial; and

3 (7) Exhibit E to the Declaration of Richard J. Twilley, Esq., in Support of Defendants'  
4 Joint Opposition to Plaintiff's Motion in Limine to Exclude Trial.

5 IT IS SO ORDERED

6 Dated: October 23, 2007

  
Hon. Maxine M. Chesney  
Judge, United States District Court